

Serial No. 10/707601

6

(GEMS 0229 PA)

Claim Rejections

Claim 8 was objected to for an informality. Claims 1-4, 6, 9, 10, 13, 14 and 16-20 were rejected under 35 USC 102(b) as being anticipated by Schleinkofer (4,189,658). Claim 11 was rejected under 35 USC 103(a) as being unpatenable over Schleinkofer. Claim 12 was rejected under 35 USC 103(a) as being unpatentable over Schleinkofer in view of Barber (4,842,485). Claims 5 and 15 were objected to as being dependent upon a rejected base claim but were deemed allowable if rewritten in independent form.

Remarks

The Applicant is thankful for the recognition of the allowable subject matter. The Applicant, however, seeks reconsideration of the rejections based on Schleinkofer and traverses these rejections accordingly. The Applicant respectfully notes that two limitations are present in each of the aforementioned independent claims of the present application:

- 1) a circumferential feature
- 2) a weight element adapted to be securable within a plurality of positions in the circumferential feature SUCH THAT the x-ray target is balanced

The Applicant notes that Schleinkofer teaches old technology of drilling holes into the body of the graphite plate 11 and permanently mounting metal balancing member 12, 17, 19 within. The only post assembly balancing taught by Schleinkofer is to bore out material 26 to adjust balance. This fails to teach a circumferential feature with weight elements securable in any of a plurality of positions to balance as claimed by the present invention. Schleinkofer clearly only teaches a traditional add/remove weights permanently rather than the flexible adjustable balancing features of the present invention. A single position is purposely formed to exactly fit the weights in Schleinkofer. Therefore, the weight cannot possibly be adapted to fit in a plurality of positions in the circumferential feature.... It fits permanently in one. The bores in Schleinkofer are not circumferential grooves and defined by the specification. They are

Serial No. 10/707601

7

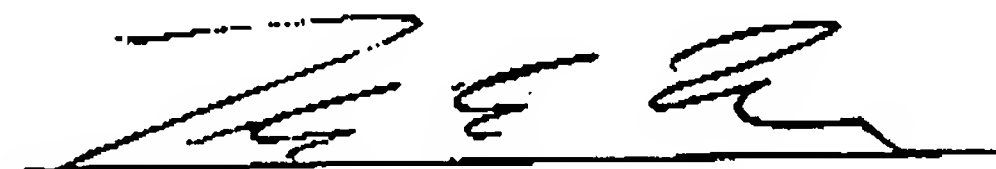
(GEMS 0229 PA)

not formed around the perimeter of the x-ray target, they are bores formed beneath it. They are most definitely Not formed on an x-ray facing surface. Although the Applicant asserts that the language of the claims in light of the specification makes clear the patentable limitations of the present invention, claim 1 was amended to help shed light on this difference and to determine if the rejection was based on a misinterpretation of Schleinkofer by the Examiner or a misinterpretation of applicants claim language. The Applicant respectfully submits that each and every claim at present stands in an allowable form and such allowance is formally requested.

With this response, it is respectfully submitted that all rejections and objections of record have been overcome and that the case is in condition for allowance. The Applicant again thanks the Examiner for recognition of the allowable subject matter.

Should the Examiner have any questions or comments, he is respectfully requested to contact the undersigned.

Respectfully submitted,



Thomas E. Donohue
Reg. No. 44,660
Artz & Artz, P.C.
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500
(248) 223-9522 (Fax)

Dated: December 22, 2006